

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NUNZIO CALCE; ALLEN CHAN; SHAYA
GREENFIELD; AMANDA KENNEDY;
RAYMOND PEZZOLI; SECOND AMENDMENT
FOUNDATION; and FIREARMS POLICY
COALITION, INC.,

Plaintiffs,

-against-

CITY OF NEW YORK; and EDWARD A.
CABAN, in his official capacity as Commissioner
of the New York City Police Department,

Defendants.

No. 21-cv-8208 (ER)

DECLARATION OF RAYMOND PEZZOLI

I, Raymond Pezzoli, declare as follows:

1. I am a plaintiff in this case. I am over 18 years of age and am competent to testify on my own behalf.
2. I am 48 years old, and I live in Staten Island, New York.
3. I would like to buy and keep both a taser and a stun gun for the purpose of protecting myself, both at home and away from home.
4. I understand that a stun gun is a non lethal defense weapon that uses an electrical shock. A taser is also a non lethal defense weapon that uses an electrical shock. No one will be killed or harmed in utilizing these weapons.

5. The reason that I would like to have both a stun gun and a taser is for self defense of my person where handguns may be prohibited, as well as they are not lethal. They are smaller and easier to carry on my person, as well.

6. I understand that state law prohibits the possession of tasers, and that both state law and New York City law prohibit the possession of stun guns. It is also my understanding that the New York City Police Department enforces these laws.

7. On August 10, 2021, I called my local NYPD precinct (120th) in Staten Island and spoke with someone named “Detective Cayenne,” who I understood was a member of the Detective’s Squad. I asked if it was legal to have a stun gun in New York City, and Detective Cayenne immediately responded that it was not legal.

8. This call confirmed my previous understanding that tasers and stun guns are illegal in New York City, and that NYPD officers will charge people who possess stun guns or tasers. Nothing has happened since this call to change my understanding.

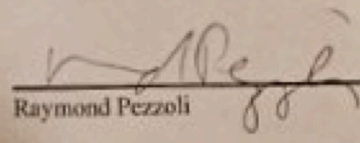
9. Because I understand that NYPD officers would charge me with unlawfully possessing a stun gun or taser if they found me in possession of one, I refrain from buying, possessing or carrying a stun gun or taser.

10. I have never been convicted of a felony or confined to a mental institution. To the best of my knowledge, I am legally eligible to purchase and possess firearms under New York law and federal law.

11. I am a member of the Second Amendment Foundation and the Firearms Policy Coalition, which I understand are also plaintiffs in this case.

I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: February 29, 2024


Raymond Pezzoli